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8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. 2013-706

11 **RITA M. WILSON, AKA RITA**
12 **MAUREEN TABER**
13 **P.O. Box 204**
Chloride, AZ 86431

A C C U S A T I O N

14 **755 Douglas Avenue**
15 **San Marcos, CA 92069**

16 **Registered Nurse License No. 210165**

17 Respondent.

18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her
21 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
22 Consumer Affairs.

23 2. On or about September 30, 1970, the Board of Registered Nursing issued Registered
24 Nurse License Number 210165 to Rita M. Wilson, aka Rita Maureen Taber ("Respondent"). The
25 Registered Nurse License expired on November 30, 2005, and has not been renewed.

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1 8. Section 2811, subdivision (b) of the Code provides:

2 “Each such license not renewed in accordance with this
3 section shall expire but may within a period of eight years thereafter
4 be reinstated upon payment of the biennial renewal fee and penalty
5 fee required by this chapter and upon submission of such proof of
6 the applicant's qualifications as may be required by the board,
7 except that during such eight-year period no examination shall be
8 required as a condition for the reinstatement of any such expired
9 license which has lapsed solely by reason of nonpayment of the
 renewal fee. After the expiration of such eight-year period the board
 may require as a condition of reinstatement that the applicant pass
 such examination as it deems necessary to determine his present
 fitness to resume the practice of professional nursing.”

10 **REGULATORY PROVISIONS**

11 9. California Code of Regulations, title 16, section, 1419.3 provides:

12 “In the event a licensee does not renew his/her license as provided
13 in Section 2811 of the code, the license expires. A licensee
14 renewing pursuant to this section shall furnish a full set of
 fingerprints as required by and set out in section 1419(b) as a
 condition of renewal.

15 (a) A licensee may renew a license that has not been expired for
16 more than eight years by paying the renewal and penalty fees as
17 specified in Section 1417 and providing evidence of 30 hours of
 continuing education taken within the prior two-year period.

18 (b) A licensee may renew a license that has been expired for more
19 than eight years by paying the renewal and penalty fees specified in
20 Section 1417 and providing evidence that he or she holds a current
21 valid active and clear registered nurse license in another state, a
 United States territory, or Canada, or by passing the Board's current
 examination for licensure.”

22 **COST RECOVERY**

23 5. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
24 administrative law judge to direct a licentiate found to have committed a violation or violations of
25 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
26 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being
27 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
28 included in a stipulated settlement.

1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Disciplinary Action by the Arizona State Board of Nursing)**

3 11. Respondent is subject to disciplinary action under Code section 2761, subdivision
4 (a)(4), on the grounds of unprofessional conduct in that Respondent's registered nurse license was
5 disciplined by Arizona State Board of Nursing ("Arizona Board").

6 12. On or about February 26, 2010, pursuant to the Consent for Entry of Voluntary
7 Surrender Order No. 0907018, issued by the Arizona Board, in the disciplinary action entitled, *in*
8 *The Matter of Registered Nurse License No. RN 113509 Issued to: Rita Maureen Wilson*, the
9 Arizona Board accepted the voluntary surrender of Respondent's registered nurse license.

10 13. The basis for the discipline is as follows:

11 a. On or about September 25, 2009, in Kingman Justice Court Case No. TR-
12 2009-04057, Respondent was convicted of driving under the influence of alcohol, a misdemeanor.

13 b. On or about September 26, 2003, Respondent was arrested for driving
14 under the influence of alcohol. Respondent failed to report the arrest to the Arizona Board.
15 Respondent told Arizona Board staff she was unaware she had to report the incident because it
16 was a misdemeanor, and it was dismissed as part of the 2009 plea agreement.

17 c. On or about February 3, 2010, Respondent told Arizona Board staff she
18 had a stroke some time in late July 2009 that was diagnosed at Mayo Clinic Hospital in Arizona.
19 She now suffers cognitive deficits, including short-term memory loss. She resigned her Kingman
20 Regional Medical Center employment in August 2009 because she could no longer perform her
21 job duties as a nurse auditor due to the effects of the stroke. Respondent said that in January 2010
22 her physician told her she is permanently disabled.

23 **SECOND CAUSE FOR DISCIPLINE**

24 **(Unprofessional Conduct)**

25 14. Respondent is subject to disciplinary action under Code section 2761, subdivision
26 (a), in that Respondent committed acts of unprofessional conduct. The conduct is more
27 particularly described in paragraphs 12 and 13, subparagraphs (a)-(c), inclusive, above, and
28 herein incorporated by reference.

1 PRAYER

2 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
3 and that following the hearing, the Board of Registered Nursing issue a decision:

4 1. Revoking or suspending Registered Nurse License Number 210165, issued to Rita M.
5 Wilson, aka Rita Maureen Taber;

6 2. Ordering Rita M. Wilson, aka Rita Maureen Taber to pay the Board of Registered
7 Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to
8 Business and Professions Code section 125.3;

9 3. Taking such other and further action as deemed necessary and proper.
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12 DATED: MARCH 4, 2013



13 for LOUISE R. BAILEY, M.ED., RN
14 Executive Officer
15 Board of Registered Nursing
16 Department of Consumer Affairs
17 State of California
18 Complainant
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